ME M O R A N D U M

TO: Members of the Wisconsin Legislature
FROM: Wisconsin Grocers Association & Wisconsin Restaurant Association
DATE: April 3, 2020
RE: Allow Alcohol Delivery during COVID-19

On behalf of Wisconsin Grocers Association and the Wisconsin Restaurant Association, representing a majority of Class A and Class B alcohol license holders in Wisconsin, we would like to respectfully request the Legislature allow retailers to deliver alcohol during the COVID-19 Emergency.

Our members have all given their livelihood to the COVID-19 emergency to ensure Wisconsinites have access to food—whether at the community grocery store or their favorite restaurant. All retailers in Wisconsin have needed to adjust to the Governors orders—some have modified or enhanced their business, while others have been forced to close their doors. Allowing alcohol retailers to deliver alcohol will not only benefit these businesses, but will allow everyone in Wisconsin to abide by the “Safer-at-Home” order.

In the past few years, grocery and restaurant delivery and pick-up have grown very popular with an estimated 60% of restaurant orders representing take-out and delivery and 13% of households using grocery delivery. The COVID-19 Emergency has increased online groceries 145% with an estimated 31% of households now using online or pick-up.

Many states have responded to this trend and modified their laws to allow retailers to deliver alcohol. In addition, during the COVID-19 Emergency, several more states that did not previously allow alcohol delivery, are allowing it through the emergency.

Our organizations worked with Rep. Tauchen and Senator Craig this session to craft legislation that ensures a secure, face-to-face remote transaction that mimics the transaction that would take place in the restaurant or grocery store. The bill specified the following:

- Allows retailer to deliver alcohol directly or through a third party when order is placed online or via phone.
- Deliveries can be made during the same hours as on-premise sales.
• Payment must be received on the licensed premises at the time of order. This can be in person, online or via credit card over the phone. Payment cannot be accepted at delivery.
• The person receiving the order must be 21 years old and provide proof of identity and age.
• It is the licensee’s responsibility to ensure the customer making the order is 21 or older at the time of sale and the delivery person’s responsibility for doing the same at time of delivery via electronic scan.
• The delivery personnel must be 21 years of age, must ensure the recipient is not intoxicated and must complete “TIPS” training or equivalent.
• If order is not completed, alcohol can be returned to the store.
• The following information must be kept for 1 year after delivery: Signature of recipient; Quantity delivered, Recipient’s name, Recipient’s address.

State and Medical experts are encouraging citizens to use delivery services during the COVID-19 Pandemic, and we believe it’s important for the Legislature to remove this impediment. Further, with additional hospitality associations that were previously opposed now asking for alcohol delivery, we hope there is no longer a barrier to moving forward.

We urge the Legislature to consider making this change to help ensure the viability of alcohol retailers in Wisconsin during the COVID-19 emergency.